

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

CHARLES SMITH, #91945

PLAINTIFF

VS.

CIVIL ACTION NO. 4:09cv82-HTW-LRA

DALE CASKEY, ET AL

DEFENDANTS

AGREED ORDER OF DISMISSAL

This cause came before the Court upon Plaintiff's letter request document numbers 20 & 21, and his Notice of Voluntary Dismissal, document number 22, all filed on November 4, 2009, requesting that he be allowed to dismiss his case without prejudice. Plaintiff is scheduled to be released from prison on or about November 16, 2009, after serving his sentence, and he desires to dismiss his case before his release.

Defendants have notified the Court that they have no objection to the dismissal of the Complaint. The Court, having considered the parties' request, and finding that the motion is well-advised, does HEREBY GRANT Plaintiff's motion to voluntarily dismiss his case.

IT IS, HEREBY, ORDERED AND ADJUDGED that the Complaint is dismissed without prejudice.

SO ORDERED , this the 5th day of November, 2009.

/s/ Linda R. Anderson
UNITED STATES MAGISTRATE JUDGE